

Michigan Association of Circuit Court Administrators

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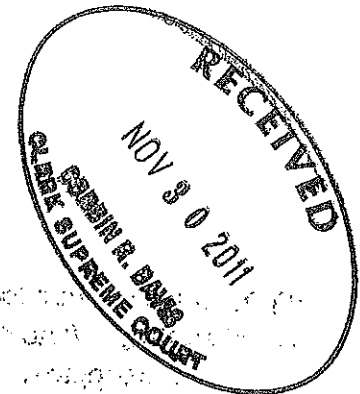


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November 29, 2011

Corbin Davis
Clerk, Michigan Supreme Court
P O Box 30052
Lansing, MI 48090



RE: ADM File No. 2010-25
Proposed Amendment of Rule 7.210
of the Michigan Court Rules

Dear Mr. Davis:

At the October meeting of the Michigan Association of Circuit Court Administrator's, our association reviewed and discussed the proposed amendment to MCR 7.210 and unanimously oppose the proposed amendment for the following reasons:

- 1) The current court rule is sufficient; there is no logical reason to require the courts to become the repository for the exhibits. The majority of courts throughout the State are lacking space as it is and this would create an unnecessary burden on the courts to maintain and store the exhibits.
- 2) There are many factors involved in the handling of the exhibits, such as security of the exhibits, keeping an accurate log and inventory of all exhibits, in addition some exhibits could be quite cumbersome and extra resources would be necessary (refrigeration, hazardous materials require special handling, etc.). The proposed change would require additional equipment, storage facilities, and new staff to be hired by the courts to maintain these exhibits.

- 3) Law enforcement agencies must follow strict guidelines and stringent audits for evidence maintained in their respective property rooms; They must maintain proper "chain-of-command" of all evidence which requires training and personnel accountability for access to the evidence room. The proposed change will require new court expenditures to provide a secure place for storage, possibly including special additional equipment such as refrigerators or hazardous materials storage areas, in addition to training for staff and possibly additional staff; this would be a difficult endeavor in good financial times, but nearly impossible in the poor financial situation that many court funding units find themselves at this time.

Therefore, as an Association we would like the current court rule to remain as it is currently written. For the small percentage of cases that are appealed, it is not necessary to place the responsibility on the courts to maintain exhibits.

We appreciate the opportunity to comment on the proposed amendments and thank you for your consideration.

Sincerely,

A handwritten signature in black ink, appearing to read 'Kathryn Griffin', written in a cursive style.

Kathryn Griffin
MACCA President